

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PAMELA NORTON,	)	
	)	
Plaintiff,	)	4:09CV3100
	)	
v.	)	
	)	
MICHAEL J. ASTRUE,	)	ORDER
	)	
Defendant.	)	
_____	)	

This matter is before the court on plaintiff's notice of appeal, Filing No. 25, and motion for leave to appeal in forma pauperis, Filing No. 26. The court finds that plaintiff has failed to comply with the 30-day time requirement for filing appeals to the Eighth Circuit Court of Appeals pursuant to Federal Rule of Appellate Procedure 4(a). Further, plaintiff has failed to show this court why she did not timely file, so that this court can determine whether there is good cause or excusable neglect for plaintiff's failure to timely file. See Federal Rule of Appellate Procedure 4(a)(5). Accordingly, the court will give plaintiff fourteen days from the date of this order to file a motion and explain to the court why she did not timely file her notice of appeal. Failure to do so may result in dismissal of the appeal. The court will rule on her in forma pauperis request at that time.

THEREFORE, IT IS ORDERED that plaintiff has fourteen days from the date of this order to file a motion explaining to this court why she failed to timely file her notice of appeal in this case.

DATED this 28<sup>th</sup> day of December, 2010.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge